

**AMENDED ATTORNEY FEE SCHEDULE
FOR CRIMINAL CASES
IN THE 91ST JUDICIAL DISTRICT COURT**

District Court:

The following schedule of fees for court appointed counsel representing indigent defendants in criminal cases in this Court is adopted effective November 1, 2023, in accordance with the provisions of Art. 26.05, Code of Criminal Procedure:

FIXED RATE:

SERVICE	FEE
1) Plea of guilty to the Court (SJF/F3) (multiple SJF and/or F3 cases/single defendant/ plea/dispose of all cases)	\$500.00 \$650.00
Plea of guilty to the Court (F2/F1) (multiple cases including an F2 or F1/single defendant/plea/dispose of all cases)	\$650.00 \$850.00
2) Representation resulting in an Order of Dismissal of indictment prior to plea, IF based on activities of Defense Counsel	\$300.00
3) Pre-trial representation where case is never filed	\$200.00
4) Trials (Jury and Non-Jury)	\$500.00 per ½ day PLUS \$75.00 per hour for trial preparation (10 hour maximum with supporting documentation)
5) Filing Motion for New Trial (without hearing)	\$100.00
(with hearing)	\$200.00
6) Appeal to the Court of Appeals	\$1750.00
(brief and oral argument)	\$2000.00
7) Plea of True – MTP/MTR	\$400.00
(multiple MTPs/MTRs, single defendant, dispose all case)	\$500.00
Disposition of MTR/MTP by amending terms and conditions and/or by dismissal of motion	\$300.00
Contested MTP/MTR	\$600.00
8) Post-Conviction writ of habeas corpus proceeding	\$400.00

HOURLY RATE:

In cases involving rendition of legal services other than those listed above under “fixed rate” services, or in extraordinary or complex cases making the fixed rate schedule grossly inadequate, fees may be computed on an hourly basis for reasonable and necessary time spent by the attorney at an hourly rate of not less than \$75.00 nor more than \$125.00. The attorney requesting payment under this provision shall keep an accurate account of time expended, services rendered, and dates involved, and shall furnish documentation thereof to substantiate the reasonableness and necessity of the services rendered and time spent on the case. Approval or disapproval of the reasonableness and necessity of time expended and/or services performed and the determination of the hourly rate to be applied shall be within the exclusive discretion of the Court.

The Court reserves the right in all cases to modify this fee schedule based on the nature and complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered. Attorneys shall also be reimbursed for reasonable and necessary expenses incurred with prior court approval, and the payment of all fees and expenses requires the approval of the Court in writing.

* * * *Effective November 1, 2017* * *

Attorneys may file a request for compensation for reasonable and necessary time spent in preparation and trial of a cause in which counsel has been appointed by the court at any time after completion of the work. Counsel’s request for compensation must be presented to the court not more than thirty (30) days of completion of services to the defendant. Failure of an attorney to timely file with the court a request for compensation as set forth in this plan may result in counsel waiving or forfeiting his right to compensation as requested.

County Court:

The following schedule of fees for court appointed counsel representing indigent defendants in criminal cases in this Court is adopted effective November 1, 2015, in accordance with the provisions of Art. 26.05, Code of Criminal Procedure:

FIXED RATE:

SERVICE	FEE
Motion to Revoke	\$250.00
Plea - Class A & B Misdemeanors	\$300.00
Pleas Multiple cases (add \$50.00 each case)	\$50.00
Dismissal of Misdemeanor Case	\$200.00
Jury Trial	\$850.00
Appeal of Non Jury Trial	\$450.00
Appeal of Jury Trial	\$650.00

HOURLY RATE:

A. Compensation for time spent by counsel out of court shall not be less than Sixty Dollars (\$60.00 per hour nor more than Seventy-five Dollars (\$75.00) per hour.

B. Compensation for time spent by counsel in court shall not be less than Seventy-five Dollars (\$75.00) per hour nor more than Ninety Dollars (\$90.00) per hour.

C. Total compensation for all pre-trial, trial, post-trial and appellate court appointed services shall not exceed the fixed rate schedule printed above unless the Court finds exceptional circumstances or that good cause for exceeding said total fixed amount exists.

The Court reserves the right in all cases to modify this fee schedule based on the nature and complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered. Attorneys shall also be reimbursed for reasonable and necessary expenses incurred with **prior** court approval, and the payment of all fees and expenses requires the approval of the Court in writing.